

9-16-04

6p2157



File: 02543/000H847-US0

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**RECEIVED**

**SEP 17 2004**

**Technology Center 2100**

In re Application of: Victor VIDAL, et al.

Serial No.: 09/738,594

GUA: 2157

Filed: December 15, 2000

Examiner: Uzma, Alam

For: METHOD OF ACCELERATING MEDIA TRANSFER

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**REQUEST FOR RECONSIDERATION**

**OF DECISION ON REQUEST TO WITHDRAW AS ATTORNEY OR AGENT**

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The undersigned is in receipt of a Decision on a Request to Withdraw from Representation filed on March 30, 2004, mailed to the Undersigned on September 3, 2004.

The Decision denied the Undersigned's request. The basis for the Decision is that: "There is no indication that Applicant has been notified of the request for withdrawal. Accordingly, the request is Denied."

Reconsideration of the Decision is requested. The Undersigned filed the subject request on the U.S. Patent and Trademark Office's Form PTO/SP/83. That Form provides a space for a reason for the request, which the Undersigned completed. That Form does not provide a place to indicate that the Applicant has been notified of the request for withdrawal. If it did, the Undersigned would have provided that indication, because the Applicant was so notified.

In particular, simultaneously with the filing of Request for Withdrawal, Applicant was provided via First Class Mail with a copy of the Request for Withdrawal, a true copy of that let-

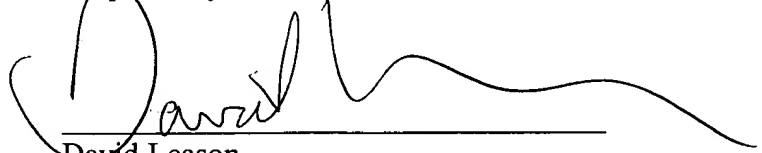
{T:\Letters\P027.DOC \*\* }

ter is attached hereto at Tab A.

Since March 30, 2004 when the Request for Withdrawal was filed, the Patent Office issued an Official Action with a mailing date of July 6, 2004. The Undersigned has also notified Applicant of this Official Action by letter sent on August 13, 2004, in which a copy was provided, via First Class Mail. That letter, attached at Tab B, also specifies the response deadline of January 6, 2005.

A prompt and favorable reconsideration of the Decision is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'David Leason', is written over a horizontal line.

David Leason

Reg. No. 36,195

Dated: September 15, 2004

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SEP 17 2004  
Technology Center 2100

INTELLECTUAL PROPERTY LAW

March 30, 2004

Reference: 02543/000H847-US0

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Mr. Dan Gardner  
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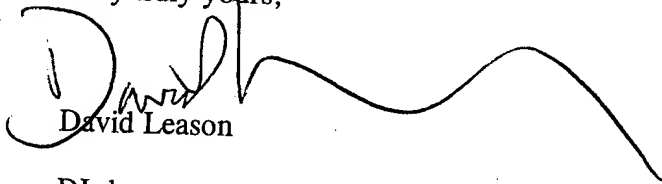
Re: U.S. Patent No. US 2002/0078241 A1  
For: METHOD OF ACCELERATING MEDIA TRANSFER  
Filed: December 15, 2000  
02543/000H847-US0

Dear Dan:

Enclosed for your file are copies of papers as filed with the United States Patent and Trademark Office for the above-referenced patent application. Those papers include a Request For Withdrawal As Attorney Or Agent And Change of Correspondence Address. Once our request is approved, we will no longer be responsible for this case. Also, we will be terminating our representation of Alfy shortly.

If you have any questions, please do not hesitate to contact me.

Very truly yours,



David Leason

DL:bms  
Enclosure

**DARBY &  
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INTELLECTUAL PROPERTY LAW

August 13, 2004

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Reference: 02543/000H847-US0

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Mr. Dan Gardner

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ALFY, Inc.

392 Fifth Avenue, 5th Floor

New York, New York 10018

Re: **U.S. Patent No.: US 2002/0078241 A1**

**For: METHOD OF ACCELERATING MEDIA TRANSFER**

**Filed: December 15, 2000**

Dear Dan:

Enclosed an Official Action that was received from the United States Patent and Trademark Office and directed to us even though we have already submitted our withdrawal from this case. My understanding the United States Patent Office is that they have separately mailed a copy of this Action and its enclosures to you.

Be advised that we are taking no action with regards to this application. There is a response deadline of **January 6, 2005** by which ALFY must respond on the merits or else the application will go abandoned.

Very truly yours,

David Leason

DL:mam

Enclosure

**RECEIVED**

SEP 17 2004

Technology Center 2100

**DAVID LEASON**

MEMBER OF THE FIRM

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